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MAN CHARGED WITH ATTEMPTED MURDER OF FEDERAL AGENTS

SACRAMENTO--United States Attorney McGregor W. Scott announced today the indictment of JAMES R. BALLESTEROS, age 57, a transient from the Mendocino and Trinity areas, who has been charged with the attempted murder of United States Forest Service Law Enforcement Officer Stephen Frick, and United States Forest Service Technician Nicholas Roe. Both victims are assigned to the Mad River Ranger District in Trinity County.

This case was investigated by the FBI with the assistance of the Trinity County, and Mendocino County Sheriffs Offices.

According to Assistant United States Attorney, R. Steven Lapham, who is prosecuting the case, a criminal complaint was filed in United States District Court on March 26, 2004, and states that BALLESTEROS was questioned by Officer Frick after Frick observed that the van BALLESTEROS was driving had expired tags. After BALLESTEROS was unable to produce a drivers license or car registration documents, he fled in his van with the forest service officers in pursuit. After running his car into a berm on a forest service road, BALLESTEROS exited his vehicle carrying an M-1 rifle and a .45 caliber automatic pistol, and fired multiple rounds at the two officers who were crouched behind the doors of their Forest Service truck. The rounds fired by BALLESTEROS shattered windows and pierced the door frame of the Forest Service truck.

BALLESTEROS made his initial appearance on the criminal complaint on April 5, 2004, before United States Magistrate Judge Dale A. Drozd, and was ordered held without bail pending trial. He is scheduled for arraignment on April 19, 2004 on the charges contained in the indictment. If convicted, BALLESTEROS faces a maximum penalty of 30 years in prison.

The charges in the indictment are only allegations, and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

A copy of this news release is available at <http://www.usdoj.gov/usao/cae/home>, select Press Releases.

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